

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|   |   |                          |
|---|---|--------------------------|
| <b>LABORERS' PENSION FUND and</b>             | ) |                          |
| <b>LABORERS' WELFARE FUND OF THE</b>          | ) |                          |
| <b>HEALTH AND WELFARE DEPARTMENT</b>          | ) |                          |
| <b>OF THE CONSTRUCTION AND GENERAL</b>        | ) |                          |
| <b>LABORERS' DISTRICT COUNCIL OF</b>          | ) |                          |
| <b>CHICAGO AND VICINITY, and JAMES S.</b>     | ) |                          |
| <b>JORGENSEN, Administrator of the Funds,</b> | ) |                          |
| <b>Plaintiffs,</b>                            | ) | <b>Case No. 08 C 863</b> |
| <b>v.</b>                                     | ) |                          |
|   | ) | <b>Judge Dow</b>         |
| <b>ELITE CONCRETE CUTTING, INC., an</b>       | ) |                          |
| <b>Illinois corporation,</b>                  | ) |                          |
| <b>Defendant.</b>                             | ) |                          |

**NOTICE OF VOLUNTARY DISMISSAL**

NOW COME Plaintiffs, Laborers' Pension Fund and Laborers' Welfare Fund of the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity and James S. Jorgensen, Administrator of the Funds, by and through their attorney Jerrod Olszewski, and hereby file this Notice of Voluntary Dismissal dismissing this matter without prejudice pursuant to Fed. R. Civ. P. 41(a)(1).

Date: May 19, 2008

Respectfully submitted,  
Laborers' Pension Fund, et al.

By: /s/ Jerrod Olszewski

Jerrod Olszewski  
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**CERTIFICATE OF SERVICE**

The undersigned attorney of record certifies that he caused a copy of this Notice of Voluntary Dismissal to be served upon the addressee listed below via U.S. First Class Mail, postage prepaid, this 19<sup>th</sup> day of May, 2008.

Elite Concrete Cutting, Inc.  
c/o Edward Strong, Owner  
P.O. Box 5381  
Glendale Heights, Illinois 60139

/s/ Jerrod Olszewski